## UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF TEXAS

DANNY A. SELLERS,

Petitioner,

Versus

WARDEN VASQUEZ,

Respondent.

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CIVIL ACTION NO. 1:13-CV-96

## MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner Danny A. Sellers, an inmate confined at the Federal Correctional Institution at Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the petition. The magistrate judge recommends the petition be dismissed.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.

## **ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered dismissing the petition in accordance with the recommendation of the magistrate judge.

SIGNED at Beaumont, Texas, this 7th day of June, 2013.

Marcia A. Crone.

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE